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Serial No. 10/788,626
60446-227; 02ZFM007

REMARKS

Claims 1-15 are currently pending in the application.

Claims 1-4 and 6-14 have been rejected as being anticipated by Vandervoot (U.S. 4,754,665) or Stine (U.S. 5,679,096). Claim 1 requires at least three selectable speeds within an auxiliary gearbox, and each of the at least three selectable speeds within the auxiliary gearbox being selectively engaged in conjunction with the highest numerical gear ratio within the main gearbox during forward movement of the vehicle.

Both Vandervoot and Stine do not teach this limitation. Each of Vandervoot and Stine include a starting low gear or creeper gear that is utilized for starting the vehicle under severe conditions and/or may not be split in the low transmission range. (Please see Vandervoot-col 4, lines 26-42, and Stine-col 4, lines 52-66). Accordingly, Vandervoot and Stine do not disclose a highest numerical gear ratio, that would provide the lowest speed, that can be compounded with all three speeds within the auxiliary gearbox. Accordingly, the rejection to claims 1-4, and 6-14 should be withdrawn.

Further, dependent Claim 3 requires that the selectable gears providing the highest gear ratio within the main gear box cooperates with selectable gears within the auxiliary gear box to provide a highest numerical gear ratio, a second highest numerical gear ratio, and a seventh highest numerical gear ratio. Vandervoot and Stine do not disclose such a configuration.

Claims 1,2,4,6,8 and 9 were also rejected as being anticipated by Fletcher (U.S. 6,062,313). Fletcher discloses a transmission assembly that includes a main section 12, an auxiliary section 14 and an extended range section 15. Fletcher does not disclose that the lowest available speed output is provided by a combination of selectable speeds within the main gear box and the auxiliary gear box. Instead, Fletcher relies on the extended range section 15 to provide a lowest available speed. Accordingly, Fletcher cannot anticipate the requirements of claim 1.

Claim 5 and 15 were rejected as being obvious over Vandervoot or Stine and knowledge in the art. As discussed above both Vandervoot and Stine do not anticipate the limitations in claim 1 or 11. Accordingly, claims 5 and 15 depend from claims 1 and 11 and are also in allowable form.

Applicant has added new claims 16-18. Claim 16 includes the limitations that all of the gear ratios within the auxiliary section are combinable with the highest numerical gear ratio to provide an overall ratio of the transmission and that each of the plurality of main gears are

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combinable with both of the at least two auxiliary gears during movement of the vehicle. Claim 17 requires that the plurality of main gears within the main section are combinable with the at least two auxiliary gears within the auxiliary section to provide a highest numerical gear ratio of the transmission assembly. Claim 8 requires that there are five main gears and three auxiliary gears. None of these limitations are disclosed or suggested by the cited prior art.

Thus, claims 1-18 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C. \$120.00 for the one month extension fee. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.



John M. Siragusa
Registration No. 46,174
400 West Maple Road, Suite 350
Birmingham, Michigan 48009
Telephone: (248) 988-8360
Facsimile: (248) 988-8363

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